

**ORDINANCE NO. 011129-14**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 204 WEST POWELL LANE FROM WAREHOUSE LIMITED OFFICE (W/LO) DISTRICT, GENERAL COMMERCIAL SERVICES (CS) DISTRICT AND COMMUNITY COMMERCIAL (GR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in File C14-01-0030, as follows:

Tract One: From warehouse limited office (W/LO) district to general commercial services-conditional overlay (CS-CO) combining district.

A 2.276 acre tract of land, more or less, out of the James P. Wallace Survey No. 57, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two: From general commercial services (CS) district to general commercial services-conditional overlay (CS-CO) combining district.

A 0.742 acre tract of land, more or less, out of the James P. Wallace Survey No. 57, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, and

Tract Three: From community commercial (GR) district to general commercial services-conditional overlay (CS-CO) combining district.

A 1.599 acre tract of land, more or less, out of the James P. Wallace Survey No. 57, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance, (the "Property")

locally known as 204 West Powell Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 900 trips per day.
2. Vehicular access from the Property to West Powell Lane shall be by a right turn only exit land with a concrete median.
3. A 15-foot wide vegetative buffer shall be provided and maintained along the north property line.
4. A 6-foot high fence shall be provided and maintained along the north property line.
5. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
6. Chapter 25-2, Subchapter C, Article 10 (*Compatibility Standards*) of the City Code shall apply along the north property line.
7. The following uses of the property are prohibited:

Agricultural sales and services  
Automotive repair services  
Automotive washing (of any type)  
Commercial off-street parking  
Consumer repair services  
Equipment sales  
Food sales  
General retail sales (convenience)  
Hotel-motel  
Indoor sports and recreation  
Laundry services  
Monument retail sales  
Outdoor sports and recreation  
Personal improvement services  
Pet services

Automotive rentals  
Automotive sales  
Campground  
Consumer convenience services  
Drop-off recycling collection facility  
Financial services  
Funeral services  
General retail sales (general)  
Indoor entertainment  
Kennels  
Medical offices  
Off-site accessory parking  
Pawn shop services  
Personal services  
Plant nursery

Professional offices  
Restaurant (drive-in, fast food)  
Restaurant (general)  
Software development  
Vehicle storage  
Congregate living  
Hospital services (general)  
Maintenance and service facility

Research services  
Restaurant (limited)  
Service station  
Theater  
Veterinary services  
Guidance services  
Hospital services (limited)  
Residential treatment

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

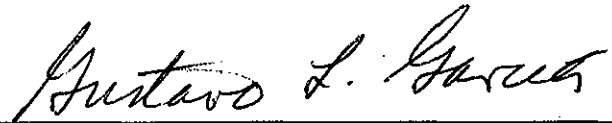
**PART 3.** The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 4.** This ordinance takes effect on December 10, 2001.

**PASSED AND APPROVED**

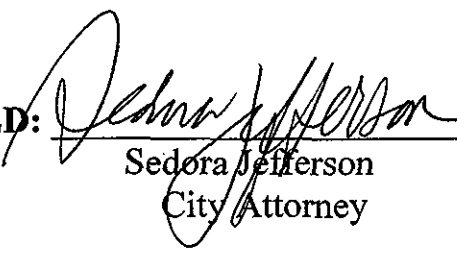
November 29, 2001

§  
§  
§



Gustavo L. Garcia  
Mayor

APPROVED:

  
Sedora Jefferson  
City Attorney

ATTEST:

  
Shirley A. Brown  
City Clerk

**FIELD NOTES**  
**TRACT I ("WLO" TO "CS" ZONING)**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 57, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOT 1, BLOCK "A", POWELL PLAZA, A SUBDIVISION AS RECORDED IN BOOK 94, PAGES 227-228 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found at the northwest corner of the above described Lot 1 for the northwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, with the north line of said Lot 1, the following three (3) courses:

- 1) S60°30'11"E a distance of 199.55 feet to a point at an angle point;
- 2) S59°51'10"E a distance of 10.83 feet to a point at an angle point; and
- 3) S61°47'33"E a distance of 108.90 feet to a point on the west right-of-way line of Guadalupe Street for the northeast corner of this tract;

THENCE, with the extension of the west right-of-way line of Guadalupe Street, S27°17'47"W a distance of 305.52 feet to a point for the southeast corner of this tract;

THENCE, with a south line of said Lot 1 and extension thereof, the following two (2) courses:

- 1) N61°20'26"W, pass a ½" iron rod found at the northeast corner of Lot 2, Powell Acres, Section - 1, a subdivision as recorded in Book 77, Page 136 of the Plat Records of Travis County, Texas at 116.72 feet, and continuing on for a total distance of 258.97 feet to a point at an angle point; and
- 2) N61°28'06"W a distance of 70.03 feet to an "X" found in concrete at the most westerly southwest corner of said Lot 1;

THENCE, with the west line of said Lot 1, N29°07'13"E a distance of 307.94 feet

*EXHIBIT A*

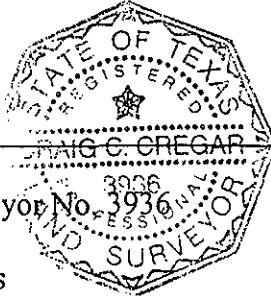
to the POINT OF BEGINNING, and containing 2.276 acres of land, more or less.

I HEREBY CERTIFY that these notes were prepared by Terra Firma from a survey made on the ground on January 25, 2001 under my supervision and are true and correct to the best of my knowledge.



Craig C. Gregar

Registered Professional Land Surveyor No. 3936



2/22/01  
Date

Client: Powell Lane Partners

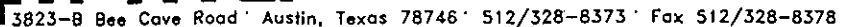
Date: February 16, 2001

WO No.: 1325-63-04

FB: 360 & 383

File: COGO2001\132563-POWELL PLAZA\13256304.CRD

CUADALUPE STREET  
(60' R.O.W.)



**FIELD NOTES**  
**TRACT II (UNZONED TO "CS" ZONING)**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 57, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOT 1, BLOCK "A", POWELL PLAZA, A SUBDIVISION AS RECORDED IN BOOK 94, PAGES 227-228 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; AND ALSO BEING THE REMAINING PORTION OF A 0.635-ACRE TRACT AS CONVEYED TO MARK McCANDLESS AND JOSEPH PETROCELLI BY WARRANTY DEED RECORDED IN VOLUME 12485, PAGE 2078 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found on the north right-of-way line of West Powell Lane at an angle point on the south line of the above described Lot 1 for the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, with the extension of the west right-of-way line of Guadalupe Street, N27°17'47"E a distance of 555.18 feet to a point at the intersection with the north line of said Lot 1 for the northwest corner of this tract;

THENCE, with the north line of said Lot 1, S61°46'56"E a distance of 59.96 feet to a point on the east right-of-way line of Guadalupe Street at the southeast corner of Block "B", Georgian Square, a subdivision as recorded in Book 57, Page 55 of the Plat Records of Travis County, Texas;

THENCE, with an extension of the east right-of-way line of Guadalupe Street, S27°44'24"W a distance of 432.75 feet to a point at the northwest corner of Lot 9, Resubdivision No. 1 Hoagland Addition, as recorded in Book 66, Page 57 of the Plat Records of Travis County, Texas;

THENCE, with the west line of said Lot 9, the following two (2) courses:

- 1) S26°29'28"W a distance of 108.77 feet to a point at a point of curvature of a curve to the left; and
- 2) Along said curve to the left an arc distance of 23.36 feet, having a radius of 15.00 feet and a chord which bears S19°00'49"E a distance of 21.07 feet to a point on

*EXHIBIT B*

C14-01-0030

the the north right-of-way line of West Powell Lane for the southeast corner of this tract;

THENCE, with the north right-of-way line of West Powell Lane, the following two (2) courses:

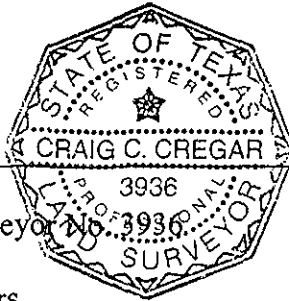
- 1) N61°09'41"W a distance of 43.83 feet to a ½" iron rod found at the most southerly southeast corner of said Lot 1; and
- 2) N61°26'00"W a distance of 29.56 feet to the POINT OF BEGINNING, and containing 0.742 acre of land, more or less.

I HEREBY CERTIFY that these notes were prepared by Terra Firma from a survey made on the ground on January 25, 2001 under my supervision and are true and correct to the best of my knowledge.



Craig C. Cregar

Registered Professional Land Surveyor No. 3936



2/22/01  
Date

Client: Powell Lane Partners  
Date: February 16, 2001  
WO No.: 1325-63-04  
FB: 360 & 383  
File: COGO2001\132563-POWELL PLAZA\13256304.CRD



**SKETCH TO ACCOMPANY  
FIELD NOTES  
TRACT II ZONING**

CURVE DATA				
CURVE	RADIUS	LENGTH	CHORD	CH.BEARING
A	15.00'	23.36'	21.07'	N 19°00'49"W

LOT 1  
BLOCK "A"  
POWELL PLAZA  
Bk. 94, Pg. 227

TRACT II  
0.742 ACRE OUT OF LOT 1,  
BLOCK "A",  
POWELL PLAZA  
BK.94, PG.277

**UNZONED  
PROPOSED ZONING CS**

REMAINDER OF  
LOT 1, BLOCK "A",  
POWELL PLAZA  
BK.94, PG.277

*LEGEND*

- 1/2" IRON ROD FOUND  
 (EXCEPT AS NOTED)  
 ☒ "X" FOUND IN CONCRETE  
 △ CALCULATED POINT

POINT OF  
BEGINNING

LOT 9  
RESUBDIVISION No. 1  
HOAGLAND ADDITION  
8k. 66, Pg. 37

RESUBDIVISION No. 1  
HOAGLAND ADDITION  
Bk. 66, Pg. 37

Client : Powell Lane Partners  
 Date : February 15, 2001  
 Office : C. Cregar, M. Castaneda  
 Crew : R. James, R. Meyer, R. Montoya  
 F.B. : 383/1, 360/85  
 Job No : 1325-63-04  
 Disk : C:\cogo2001\132563-powell plaza\13256304.crd  
 C:\cogo2001\132563-powell plaza\13256304.dwg

**terra  
firma**

LOT 8 LAND SURVEYING  
AND PLANNING, INC.

3823-B Bee Cave Road · Austin, Texas 78746 · 512/328-8373 · Fax 512/328-8378

**FIELD NOTES**  
**TRACT III ("GR" TO "CS" ZONING)**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 57, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOT 1, BLOCK "A", POWELL PLAZA, A SUBDIVISION AS RECORDED IN BOOK 94, PAGES 227-228 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND ALL OF LOT 9, RESUBDIVISION NO. 1 HOAGLAND ADDITION, A SUBDIVISION AS RECORDED IN BOOK 66, PAGE 37 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found at the northeast corner of the above described Lot 1 for the northeast corner and POINT OF BEGINNING of the herein described tract;

THENCE, with the west line of the above described Resubdivision No. 1 Hoagland Addition, the following three (3) courses:

- 1) S27°23'03"W a distance of 185.96 feet to a point at the northwest corner of Lot 4 of said Resubdivision No. 1 Hoagland Addition;
- 2) S27°44'03"W a distance of 179.47 feet to a point at an angle point; and
- 3) S26°12'41"W, pass a ½" iron rod found at the northwest corner of Lot 7 of said Resubdivision No. 1 Hoagland Addition at 5.50 feet, and continuing on for a total distance of 68.63 feet to a ½" iron rod found at the northeast corner of said Lot 9;

THENCE, with the east line of said Lot 9, S26°12'41"W a distance of 123.20 feet to a point on the north right-of-way line of West Powell Lane for the southeast corner of this tract;

THENCE, with the north right-of-way line of West Powell Lane, N61°09'41"W a distance of 112.29 feet to a point at a point of curvature of a curve to the right;

THENCE, with the west line of said Lot 9, the following two (2) courses:

- 1) Along said curve to the right an arc distance of 23.36 feet, having a radius of 15.00 feet and a chord which bears N19°00'49"W a distance of 21.07 feet to a point at a point of tangency; and

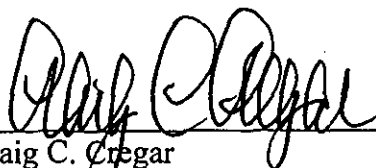
*EXHIBIT C*

- 2) N26°29'28"E a distance of 108.77 feet to a point at the northwest corner of said Lot 9;

THENCE, with an extension of the east right-of-way line of Guadalupe Street, N27°44'24"E a distance of 432.75 feet to a point at the southwest corner of Block "B", Georgian Square, a subdivision as recorded in Book 57, Page 55 of the Plat Records of Travis County, Texas;

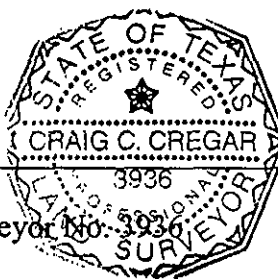
THENCE, with north line of said Lot 1, S61°50'59"E a distance of 123.70 feet to the POINT OF BEGINNING, and containing 1.599 acres of land, more or less.

I HEREBY CERTIFY that these notes were prepared by Terra Firma from a survey made on the ground on January 25, 2001 under my supervision and are true and correct to the best of my knowledge.



Craig C. Cregar

Registered Professional Land Surveyor No. 3936



10/16/01  
Date

Revised: October 15, 2001  
Client: Powell Lane Partners  
Date: February 16, 2001  
WO No.: 1325-63-04  
FB: 360 & 383  
File: COGO2001\132563-POWELL PLAZA\13256304.CRD

SCALE 1" = 60'

# SKETCH TO ACCOMPANY FIELD NOTES TRACT III ZONING

LOT 1  
BLOCK "A"  
POWELL PLAZA  
Bk. 94, Pg. 227

CURVE DATA  
CURVE RADIUS LENGTH CHORD CH.BEARING  
A 15.00' 23.36' 21.07' N 19°00'49"W

15' Pub. Util. & Drain. Eas't.  
Bk. 94, Pg. 227-228  
REMAINDER OF  
LOT 1, BLOCK "A",  
POWELL PLAZA  
Bk. 94, Pg. 277

City of Austin  
Sanitary Sewer  
Eas'tment  
Vol. 12485, Pg. 212

TRACT III  
1.241 ACRES OUT OF LOT 1,  
BLOCK "A",  
POWELL PLAZA  
BK.94, PG.277  
AND ALL OF LOT 9, OF  
RESUBDIVISION NO.1 HOAGLAND  
ADDITION  
BK.66, PG.37

ZONED GR  
PROPOSED ZONING CS

1.599 ACRES

LOT 9  
RESUBDIVISION No. 1  
HOAGLAND ADDITION  
Bk. 66, Pg. 37  
0.358 Ac.

MARK MCCANDLESS AND JOSEPH PETROCELLI  
(REMAINING PORT. OF 0.635 AC.)  
Vol. 12485, Pg. 207B

W. POWELL LANE  
(R.O.W. Varies)

terra  
firma

LAND SURVEYING  
AND PLANNING, INC.

3823-B Bee Cave Road Austin, Texas 78746 512/328-8373 Fax 512/328-8378

Client : Powell Lane Partners  
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Disk : C:\cogo2001\132563-powell plaza\13256304.crd  
C:\proj2001\132563-powell plaza\13256304.dwg

BLOCK "B"  
GEORGIAN SQUARE  
Bk. 57, Pg. 55

POINT OF  
BEGINNING



City of Austin  
Drainage Eas'tment  
Vol. 12481, Pg. 306

City of Austin  
Sanitary Sewer &  
Drainage Eas'tment  
Vol. 12481, Pg. 306

City of Austin  
Sanitary Sewer &  
Drainage Eas'tment  
Vol. 12481, Pg. 306

LOT 2

LOT 3

RESUBDIVISION No. 1  
HOAGLAND ADDITION  
Bk. 66, Pg. 37

LOT 4

LOT 5

LOT 6

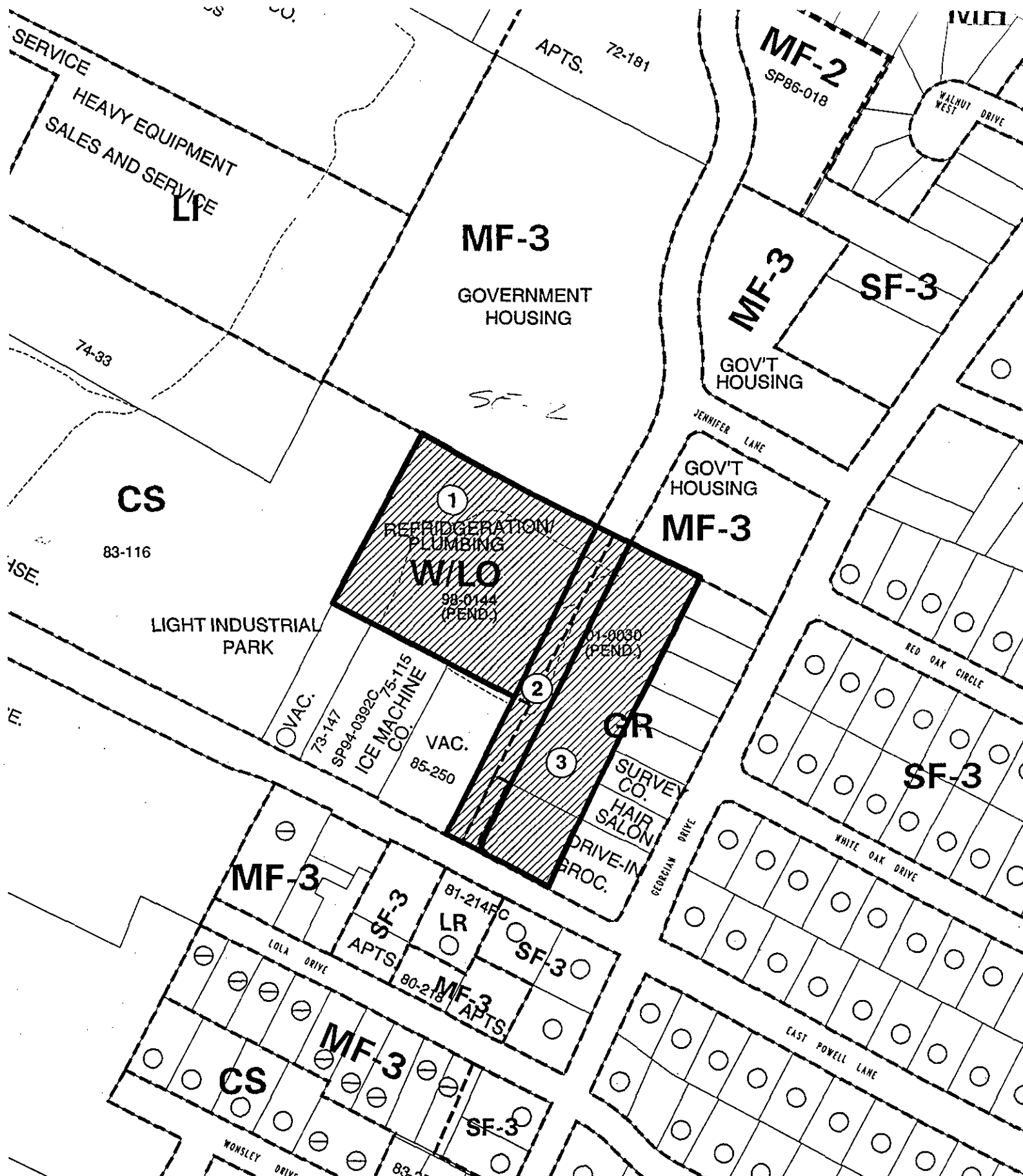
RESUBDIVISION No. 1  
HOAGLAND ADDITION  
Bk. 66, Pg. 37

LOT 7

LOT 8

## LEGEND

- 1/2" IRON ROD FOUND (EXCEPT AS NOTED)
- ⊗ "X" FOUND IN CONCRETE
- △ CALCULATED POINT



 1" = 200'	SUBJECT TRACT		<b>ZONING</b> <i>EXHIBIT D</i>	CITY GRID REFERENCE NUMBER L29
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: A. BEAUDET			
CASE #: C14-01-0030				
ADDRESS: 204 W POWELL LANE		DATE: 01-10		
SUBJECT AREA (acres): 4.616		INTLS: SM		